City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 2108064

Applicant Name: Lachlan Foss for Quality Food Center

Address of Proposal: 3920 Stone Way North

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a 31,394 square foot multi-purpose convenience store (QFC), with 1,074 square feet of retail, and 26 residential units above. Project includes parking for 156 vehicles located below, at, and above grade. Project also includes future demolition of an existing structure. Project includes grading of 22,183 cubic yards of material.

The following approvals are required:

SEPA - Environmental Determination – Chapter 25.05 SMC

Design Review – Chapter 23.41 SMC – One Design Departure
1) SMC 23.47.014B4b, Setbacks.

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] MDNS [ ] EIS

[X] DNS with conditions

[ ] DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

* Early DNS Notice published August 8, 2002

BACKGROUND DATA

Site and Area Description

The site fronts on North 40th Street to the north, North 39th Street to the south and Stone Way North to the west. It abuts a partially improved alley in the rear that terminates at mid-block. This site's 1.04 acres slope approximately 20 feet from north to south. The bulk of the site is depressed into the surrounding topography resulting in sidewalk grades along N. 40th Street as high as 16 feet above the site surface. The eastern portion of the site has a concrete retaining

wall along the property line that retains the grade of the adjacent properties. A mapped, steep slope environmental critical area (ECA) lies directly behind the existing commercial building on site. Currently occupying approximately 17,000 square feet, a vacant grocery store comprises the middle third of the site. The structure is flanked on both sides by surface parking lots with multiple curb cuts on Stone Way N. The entire site is zoned Neighborhood Commercial Three (NC3-40) with a 40 foot height limit.

Vicinity

The neighborhood is located in the Fremont Hub Urban Village near the southern border of the Wallingford Residential Urban Village. To the south of the site, properties along Stone Way N. are zoned Commercial Two with a forty foot height limit (C2-40); properties on Stone Way to the north are zoned Neighborhood Commercial Two (NC2-40) with a 40 foot height limit. Thus, the intensity of zoning increases along the Stone Way N. corridor to the south and decreases to the north. The zoning east of the subject site is Single Family 5000 (SF5000). In general, the land use corresponds to the zoning. Properties across Stone Way North are developed with a mix of commercial and multifamily residential uses. The zones on the blocks beyond Stone Way N. are SF5000 to the west and north and NC2-40 to the south and west. Uses along Stone Way N. are mostly retail, office and wholesale businesses.

Proposal Description

The applicant proposes to construct a mixed use building on Stone Way North between North 39th and North 40th Streets that would include approximately 31,400 square feet of grocery store with parking above and below the grocery store and 26 residential units located above the upper parking level. The applicant's design includes vehicular access to upper level parking from the alley off North 40th Street, access to the lower level parking from the south end of the site on Stone Way N., and from N. 39th Street. Pursuant to earlier guidance, the primary pedestrian entrance would be located along the Stone Way N. façade at the axis of Bridge Way North. An additional 1,000 square foot retail space to be located at the corner of Stone and N. 40th Street would be above the main store level due to the substantial slope of the site. Primary customer parking would be located in the below-grade garage. Employee parking would be located in the upper level garage. Landscaping elements such as trees, shrubs and planters adjacent to the N. 39th St. right-of-way would partially screen the parking and vehicular maneuvering area located at the south end of the building.

The residential units would be located above a second level parking garage. Vehicular access to the upper level parking area for residents would occur from the alley. A total of 33 residential parking spaces would be available. A residential lobby would be located on N. 40th Street. Configuration of the for-sale units would be along a corridor of open space that stretches north and south parallel to Stone Way N.

Along Stone Way N., the applicant proposes an outdoor sitting area, a seasonal display area, art works, an ATM and extensive amounts of transparency into the grocery store. Patrons of the grocery store would generally use the vehicular access at the southern end of the site. Facing N. 39th St., a ramp to the below-grade parking garage would be setback approximately 80 feet from the right-of-way. The lower level garage contains a total of 86 customer parking spaces. A total of 34 employee parking spaces would be set aside in the upper level garage. When spillover

parking begins to occur from the lower parking level, the employee parking area would be used for overflow customer parking. An enclosed, one-way ramp on the site's eastern edge would bring vehicles from the upper garage to the exterior vehicular circulation area on the south end.

Occupying the southern end of the structure would be a service garage for loading and unloading trucks. The loading berths would be setback approximately 76 feet from the N. 39th Street right-of-way. Trucks would enter the site from Stone Way N. and back into the loading area. Waste and recycling storage for the grocery would be contained in the same loading area. The applicant agrees to assist in the funding of several right-of-way improvements including the installation of a traffic signal at Stone Way N. and N. 39th St. and its interconnection with nearby signals at Stone Way/Bridge Way N. and Stone Way N./N. 40th St.

Public Comments

1) Meetings. Approximately 60 people attended the SEPA comment meeting on September 12, 2002. Questions, concerns and comments raised by the public at the meetings are outlined below.

Noise;
- Noise generated by vehicles, trucks, HVAC, garage activities, cooling equipment.
- Noise echoing off retaining walls.
- Locate HVAC units underground.

Air Quality;
- Particulates from demolition activities.
- Asbestos, lead paint.
- Emissions and fumes from autos and truck traffic on-site and traffic back ups.
- Fumes from food preparation.

Light and Glare;
- Impact from headlights.
- Impacts from other sources.

Construction;
- Mitigation of hours and days.
- Truck queuing.

Earth;
- Contaminated soils.

Traffic;
- Traffic Study
    a. underestimates traffic impacts on 39th Street.
    b. conducted in June. This ignores impact from University of Washington and other schools. Commute increases by ten minutes during school year.
    c. Implicitly condones cut through traffic.
    d.. 150% increase in store size. Only 30% increase in trips.
    e. Minimum two hour on-site review by consultant.
    f. No consultation with neighbors.
    g. Review South Wallingford traffic study.

h. Study the Stone Way N. corridor as a single unit.
i. Compare Ballard Safeway data.
j. Review traffic impacts from new residential units.

- Requests EIS for traffic impacts.
- Alley
  a. Not visible. Expect fatal accidents.
  b. No way to go fast
  c. Dangerous design.
  d. Propose right-in/right out only.
  e. Number of alley trips. Current: 1 to 2 a day. Future: 1,000 to 2,000 trips.
  f. Too busy. Make user friendly.
- Access
  a. Harvard Market is a good example of multiple access points.
  b. Prevent commercial parking access from alley.
  c. Provide vehicular access to site from Stone Way N./Bridge Way N. intersection.
  d. Ensure predictable access.
  e. Access to retail should occur at a single point.
  f. Signalized access is poor. Add a cycle. Poor pedestrian environment.
  g. Reduce number of access points to reduce cut through traffic.
- Pass Through traffic.
  a. Traffic on Interlake Av. N. to get worse.
  b. Traffic back ups on Woodlawn Ave. N. to get worse.
  c. Increased number of traffic back ups.
  d. Vehicular speeds to increase on side streets.
  e. Traffic distribution on to side streets bad.
  f. Impacts on Midvale Av. N.
- Truck maneuvering conflicts with other traffic.
- Discrepancy in Land Use Code which allows Single Family/Neighborhood Commercial alley access but not Single Family/Multi-family alley access.
- Alternatives.
  a. Bike parking
  b. Flexcar
  c. Pedestrian and bike crossings should be user friendly.

Massing;
- Locate mass of structure toward Stone Way N. and away from N. 39th St.
- Place housing near N. 39th Street.

Programming;
- Locate retailing at south end of property.

Landscaping;
- Establish maintenance program.
- Protect large trees on neighbors property.
- Vegetation in alley right-of-way.

Miscellaneous;
- Enforcement of complaints.

- Error in reporting size of site.
- Protect sewer easement.
- "Taking"—N. 39th Street access.
- No increase in off-site parking demand.
- No view blockage.
- Mitigate height of proposed building.

2) Written Comments: Over 150 letters and emails were received by the Department of Planning and Development. The letters and copies of the emails are on file and available for public review. The following outlines the broad concerns expressed in the letters.

Traffic;
- Minimal road improvements.
- Dangerous modifications to the existing traffic plan surrounding the site.
- Underestimation of daily vehicular trips.
- Minimization of impact from increased volumes in the neighborhood.
- Inadequate analysis of Level of Service.

Parking;
- Impact of spillover parking in the immediate neighborhood.
- Provide adequate parking for all customers, residents and employees on site.
- Provide a Residential Parking Zone (RPZ).
- Reduction of on-street parking.

Access;
- Prevent access from N. 39th and 40th Streets.
- Provide a truck loading area in the underground garage.
- Truck queuing should occur on site and not on neighborhood streets.
- Prevent alley access for any use but residential.
- Pedestrian safety.

Pollution and Environmental Health;
- Impact of auto emissions on the neighborhood.
- Dust and exhaust from construction.
- Potential of contaminated soils from its former use as a fuel yard.
- Particulates and odors from on-site cooking or baking.
- Potential exposure to asbestos.

Plants and Animals
- Destruction of vegetation on the site.
- Impacts on neighbors yards (attraction of birds).
- Maintenance of landscaping.

Noise
- Noise generated by HVAC system.
- Vehicular noise.
- Impacts of construction noise on neighbors.

Maintenance
- Removal of graffiti, litter.

Height, bulk and size (Comments covered in the Design Review section below);

Light and Glare;
- Spillover lighting.

Design (Comments covered in the Design Review comment section below);

Aesthetics; (Other comments covered in the Design Review comment section below)
- View blockage.

ANALYSIS-DESIGN REVIEW

Public Comments

The project proponents presented their initial ideas at two Early Design Guidance Meetings on January 28, 2002 and June 3, 2002. The Design Review Board held two Preliminary Recommendation Meetings (November 18, 2002 and March 17, 2003) and a Final Recommendation meeting on April 21, 2003. An estimated 170 people signed-in at the two Early Design Guidance meetings and the three Design Review Recommendation meetings. The comments listed below are a compilation of the five design review meetings.

Location of Vehicular Access;
- The alley lacks adequate landscaping.
- Access to parking should not occur on the alley.
- Add a new vehicular entrance on Stone Way N. Others spoke in opposition to creating a second curb cut.
- At the last meeting (November 18, 2002), the Board required, not suggested, that the applicant bring an alternative design to placing commercial parking on the second level. (Note: a statement from a citizen in attendance).
- The access from the alley would unduly hamper enjoyment of adjacent single family residences.
- The alley is a hazard and will be an incredible safety issue.
- Forty percent of the customers will come from the west. It will be common for them to drive Stone Way N. to N. 40th Street and then down the alley for parking. This will cause confusion and place most of the demand for parking on the upper tier garage rather than the garage below the grocery store.

2nd Level Parking Garage;
- Add some form of noise attenuation to the garage.
- Preference for the ramp to be covered. One person asked that the ramp be open to the sky.
- Poor air quality resulting from the garage ventilation will affect the neighboring homes.
- Louvers will not block the exhaust from entering the alley and the neighboring homes.
- Lack of privacy for neighbors due to vehicles entering and exiting the parking garage.
- Below-grade parking meets City parking requirements for number of spaces. Encourage applicant to remove 2nd level commercial parking or place it below grade.

Location of Loading and Utility Uses;
- The dumpster is situated in the middle of the loading dock.
- What is the level of lighting on the south end of the project?

- How do the grades work on the south end?
- Circulation on site poses a problem. Need to better separate customers from truck loading.
- Loading dock should be below grade or enclosed; it should be screened to prevent noise and glare from effecting adjacent residences.
- All loading activities should be accomplished on site with no maneuvering in the right of way.
- Circulation problems on 39th Street are already a problem without the proposed development. An accident involving a truck and auto has already occurred on 39th Street. (Photograph displayed).
- The redesign of the loading area off of 39th Street does not address A-8 of the Design Review guidelines. "Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety."
- More landscape and other improvements should be added along the perimeter of the project's south side.
- Landscaping is not enough to screen the noise of the south end service and garage entry areas. Something more needs to be done along the perimeter.

Bulk of the Buildings;

- The proposed housing units are too high above the houses on the opposite side of the alley.
- The proposed structure is too big, would block views, and would tower over the adjacent single family. The structure would also block light into the yards and houses of the residences to the east of the alley.
- Respect the adjacent single family neighborhood. The design does not create a needed transition to the single family neighborhood.
- An upper level setback along Stone Way N. should be incorporated into the façade to transition the commercial and residential portions of the structure.
- The scale of the housing above the south portion of the site fits with the neighborhood.
- The site has the zoning capacity for a much more dense residential development.
- The scale of the drawings presented to the Board is misleading.

Uses and Street Activity;

- Incorporate a water feature as a symbolic gesture (and/or for sustainable reasons) to the importance of the riparian corridor that once existed in the area. This should be located toward the south end of the project.
- The café is too close to both the street and the curb cut for garage access. The air quality at the café will make it an unpleasant place to sit.
- Another curb cut on Stone Way N. will serve to degrade the potential pedestrian character of the neighborhood---a quality the applicant and the neighborhood are seeking.
- Stone Way facade is highly modulated with a significant amount of activity. The project will be a great amenity.

Building Facades;

- What type of sconce is proposed along Stone Way N.?
- Residential bays on the west elevation project over the Stone Way sidewalk.

- Upper areas should be setback and the grocery store should read as a single entity. The proposed Stone Way façade is too frenetic and will not present a good image for the area.
- The proposed amount of glazing on Stone Way N. is appropriate.
- The Stone Way façade has adequate relief. There are several planes to provide visual interest.
- The Stone Way façade should serve as a gateway to the community.

Access and Circulation;

- No crosswalks are located near the site. What measures are Seattle Transportation and QFC proposing to assist pedestrians?

ANALYSIS-DESIGN REVIEW

Design Guidelines Priorities

The project proponents presented their initial ideas at two Early Design Guidance Meetings on January 28, 2002 and June 3, 2002. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members identified the following Citywide Design Guidelines as high priorities to be considered in the final proposed design. The earlier design guidance, based on a single purpose commercial project, is retained; the guidance from the latter meeting, where applicable, has been appended in italics. In the case of conflict, the previous guidance has been struck.

A. Site Planning

A-1 Responding to Site Characteristics: The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

As noted in the public comment, this site is located at a prominent intersection that forms a gateway to the Wallingford neighborhood. This guideline is a very high priority for the project. The design should reinforce this site characteristic by providing a vibrant, active façade along Stone Way N. The slope condition creates a unique opportunity for two levels of commercial use that could be accessed from both Stone Way N. and N. 40th Street.

A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

A-3 Entrances Visible from the Street. Entries should be clearly identifiable and visible from the street.

Locating the only pedestrian entry at the corner of 40th and Stone Way may not be the most appropriate location. The Stone Way façade should contain a legible entry that works in concert with a bus stop incorporated into the façade and pedestrian amenities such as seating.

The Board was pleased to see that the entrance was relocated to the center of the site along Stone Way and that a retail space was also provided at the corner. The Board felt the project should also have a corner entrance on the south end of the building that would relate to the proposed landscaping and surface parking. If the floor level of the store were set at the

elevation of the site at mid block, a terrace on the southwestern most corner would be an excellent location for a terrace or deck for customers and residents to enjoy the southwestern exposure.

A-4 Human Activity. New development should be sited and designed to encourage human activity on the street.

The Board indicated that an inactive blank façade along Stone Way would not be acceptable. Stone Way and 40th Street facades should pay particular attention to this guideline. Retail, art windows, kiosks and space for secondary tenant were all cited as possible elements to engage the street. Overhead weather protection should also be provided.

A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

Neighboring properties should be shielded from views of the mechanical equipment or other utility and service functions of the building such as loading berths. Care should be given to locate the bulk of the building towards Stone Way. Roof forms should be varied and serve to break up the mass of the roof that will be directly visible to the adjacent residential properties.

The proposed bulk of the building is largely mitigated by the sharp rise in topography along the site's eastern edge. However, windows, decks and other openings should respect the privacy of adjacent rear yards of the single family residences to the east.

A-6 Transition Between Residence and Street. For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.

The Board felt the transition between the upper parking level and the residential portion of the building would be a challenging design issue. Particular attention to this guideline is warranted.

A-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.

Because upper level open spaces will have excellent views to the south and west, the Board noted that these spaces should be well designed and used to augment the visual interest of the Stone, 39th and 40th Street facades. Open spaces should, wherever possible, be directed away from the single family residential development to the east.

A-8 Parking and Vehicle Access. Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

Public comment expressed a clear desire that vehicular access be taken from Stone Way. Any parking access scenario will have to balance between the need to provide sufficient underground parking and the impacts that vehicular access would have on neighborhood character, pedestrian/auto safety and the provision of viable street level retail uses.

Parking access should be explored along Stone Way as close to the intersection of 39th Street as possible or north of Bridge Way. Any parking and loading access from 39th Street should be explored with consideration of the adjacent single family uses.

The Board further considered the public concerns regarding parking access. The Board felt that access from Stone Way and the alley would both be very appropriate. However, a more rational parking arrangement that separates loading and parking functions in the surface parking area should be explored. The applicant should consider separating the loading and parking functions in this area and avoid a curb cut on 39th Street if possible. The Board was also unclear how access and loading functions could take place in this small area without having vehicles spill out onto 39th Street and suggested eliminating the surface parking.

A-9 Location of Parking on Commercial Street Fronts. Parking on a commercial street front should be minimized and where possible should be located behind a building.

A-10 Corner Lots. Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

B. Height, Bulk and Scale

B-1 Height, Bulk and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk and scale between the anticipated development potential of the adjacent zones.

The proposed contiguous floor plate will result in a very long building. In order to reduce this "suburban" expression, the Board stresses that the building façades will need to be broken into distinct modules with consideration of the view of the building from Bridge and Stone Ways.

Varied roof forms and distinctly residential building modules should be incorporated into the design.

The Board echoed neighborhood suggestions to incorporate a setback along the 40th Street façade as well as a residential upper level setback along Stone Way. Treatment of this will be very critical in light of the parking level above the store and below the residential that the Board feared may present an inactive horizontal band. Particular care should be given to breaking up the building's horizontality in relation to Stone Way and adjacent residential. Also, the Board suggested providing a slight setback along the alley, in excess of code minimums. Additional suggestions included a tapered setback along the alley to scale the building away from the adjacent single family zoning.

C. Architectural Elements and Materials

C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Architectural character in the surrounding commercial area somewhat mixed. This project has a unique opportunity to create context. A creative design that responds to this site's location in a dynamic urban neighborhood will be imperative.

The Board recognized an opportunity with the project's expanded mixed use goal of the project to offer a significant addition to the urban fabric of Southwest Wallingford, Stone Way and that the applicant should be bold and creative with this opportunity.

C-3 Human Scale. The design of new buildings should incorporate architectural features, elements and details to achieve a good human scale.

The design should avoid blank, inarticulate facades or inactive street fronts. A landscaped open space at the southwest corner, detailed street level façade, wide sidewalks, and community amenities such as art walls should all be explored to add human scale to the building.

C-4 Exterior Finish Materials. Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

A variety of materials should be provided; a festival of textures and colors should be used such as brick and tile to avoid a monochromatic presentation. As with C-2, this guidance should encourage an imaginative response to the somewhat stodgy context.

C-5 Structured Parking Entrances. The presence and appearance of garage entrances should be minimized so that they do not dominate the street frontage of a building.

D. Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Landscaping should augment the pedestrian experience; and relate well to the sidewalk grade and be finely detailed. As noted in the public comment, features such as bike racks, a location to tie up dogs and a bus stop with benches would help to enliven the sidewalk. Consideration should be given to 18 foot sidewalks with overhead weather protection and bollards to enhance pedestrian security at the busy intersection of Bridge and Stone.

D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

Blank facades along Stone Way or on 40th Street are not acceptable. Street façade should be largely transparent and should include design treatment that heightens visual interest.

The Board suggested vertical landscaping or second and third story planters could be provided along the alley façade to taper the bulk of the structure relative to the adjacent single family zone. Particular attention should be paid to the building corner at the alley and Stone Way. This area should contain substantial reveals or other architectural treatment such as an undulating wall that would break up this mass.

D-3 Retaining Walls. Retaining walls near a public sidewalk that extend higher than eye level should be avoided where possible. Where high retaining walls are unavoidable, they should be designed to reduce their impact on pedestrian comfort and to increase the visual interest along the streetscape.

Surface parking and loading areas should be appropriately screened and landscaped; any blank walls should be detailed and sensitive to the pedestrian experience as well as neighboring residents.

D-4 Design of Parking Lots Near Sidewalks. Parking lots near sidewalks should provide adequate security and lighting, avoid encroachment of vehicles onto the sidewalk, and minimize the visual clutter of parking lot signs and equipment.

D-6 Screening of Dumpsters, Utilities and Service Areas. Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Utility uses such as trash storage and pick-up should be screened or located inside an enclosed structure.

D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.

An appropriately lit and secure pedestrian access to the store is a very high priority. How pedestrian traffic patterns relate to the sidewalk, street crossings and surrounding neighborhood should be considered in the layout of the store.

E. Landscaping

E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites. Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

Landscaped open space at the southwest corner and on the roof top was suggested in public comment. A well designed landscape plan would take help soften the transition to the adjacent residential uses.

E-2 Landscaping to Enhance the Building and/or Site. Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

Landscaping will be an essential element in the activation of the street fronts.

E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

MASTER USE PERMIT APPLICATION

The applicant revised the design and applied for a Master Use Permit with a design review component on July 24, 2002.

DESIGN REVIEW BOARD RECOMMENDATION

The Design Review Board conducted two Preliminary Recommendation Meetings (November 18, 2002 and March 17, 2003) and a Final Recommendation meeting on April 21, 2003, to review the applicant's formal project proposal developed in response to the previously identified priorities. At these public meeting, site plans, elevations, floor plans, landscaping plans, models, and computer renderings of the proposed exterior materials were presented for the members' consideration. Meeting notes from the first Recommendation Meeting held on November 18, 2002 are in italics. Notes from the second Recommendation Meeting (March 17, 2003) are in italics. The Design Review Board devoted the Final Recommendation Meeting to placing design review conditions on the project.

Development Standard Departures

The applicant requested departures from the following standards of the Land Use Code:

1. Setbacks SMC 23.47.014B4b. 15' setback for portions of mixed use structure above thirteen (13) feet in height along the rear lot line which abuts a lot line of a residentially zoned lot.

Recommendations

1. As proposed, the access to commercial parking at the second level via the dead-end alley would have negative impacts on the abutting single family area (congestion, light pollution, noise, and unsafe conditions at the alley entrance). The applicant should consider eliminating the commercial parking at the second level and limiting use of the second-level garage to the residents of the project only. An additional half-level underground parking area was recommended to compensate for the loss of commercial parking at the second level of the structure.

The Design Review Board acknowledged that the applicant team did not deliver a design option showing the 34 commercial parking spaces relocated to a below-grade garage. The development team in its response to the earlier Board directive (see italics above) stated that "Most of the time, employees will use the QFC parking (on the second level). However, there will be some customer use particularly on peak grocery shopping days before holidays. On these days, an off-duty police officer will be stationed to direct traffic." After much deliberation, the Board voted four to one to approve commercial parking at the second level. The Board retains the ability to recommend conditions to the commercial parking at the second level. (A-5, A-8, D-7).

2. The applicant should consider a minimum 10-foot upper-level setback for the structure along 40th in order to create a better transition to the single family neighborhood up the street. Also, a better transition at the alley entrance could be achieved by relocating the residential core (the elevator and stair penthouses).

The applicant returned to the Board with revised drawings showing a ten foot setback along NE 40th Street and the relocation of the elevator/stair tower to a less visible location. The members of the Board approved of the redesign. (A-1, A-2, A-5, B)

3. The applicant should consider breaking the mass of the structure at the upper level along Stone Way at the location which corresponds to the Bridge Way intersection. A "gateway" building element or architectural feature(s) should be considered at this location to better respond to the design guidance received.

The applicant presented a tripartite design for the Stone Way elevation. The southern portion has modestly scaled dwelling units above the second level parking garage. An outdoor seating area and glazing into the grocery store comprises most of the streetscape. The visual axis from Bridge Way N. terminates at the middle portion of the complex. Lower in height than the north and south sections, the mid-section houses the formal pedestrian entrance into the grocery store. Above the entrance, two housing units are set back approximately six feet from the property line. The Board approved of the tripartite scheme. The members left for further discussion and possible conditions the type of signage and/or architectural feature to occur at the upper levels of the middle section. At street level, the structure's northern most third would comprise seating for the bus stop, an art wall, an art installation embedded in the sidewalk, transparent glazing into the grocery store, and a small retail store at the corner. Members of the Board suggested that they would entertain possible modification to the facades of the residential units on the upper levels. (A-1, A-2, A-3, B, C-1, C-2)

4. Additional screening and buffering should be considered for the alley garage entrance to mitigate the negative impact on the abutting residential properties. Additional screening and buffering should be considered to mitigate the impact of the loading activities in close proximity to the existing residences (plantings on the roof of the loading dock enclosure were suggested by one of the Board members).

The Board reviewed the proposed revisions of the alley garage entrance. Providing approval to the alley entrance for both the grocery store and the residences, the Board wants to see further refinement of the landscaping and building details for the alley, the east façade, the enclosed ramp and landscaping between the subject property and its residential neighbors to the east. The Board agrees that enclosing the loading function will provide good visual and acoustic screening. (A-5, A-8, D-6, E-3)

5. In order to create better street/building interaction, to support pedestrian activities, to provide a better quality street façade and streetscape along Stone Way between the entrance at the corner with 40th and the main store entrance, the floor plans for the proposal should be revised to include retail space with multiple sidewalk-level entrances along Stone Way.

The Board reviewed and agreed with the overall revisions to the storefront and streetscape along Stone Way N. including glazing and architectural features in lieu of additional retail spaces. Members of the Board, however, asked to see more specific details of the elements proposed for the facades and streetscape at the next Recommendation Meeting. (A-3, A-4, D-1, D-2)

Board Recommendations: The recommendations summarized below were based on the plans submitted at the April 21, 2003 meeting. Design, siting or architectural details not specifically identified or altered in these recommendations are expected to remain as presented in the plans and other drawings available at the April 21st public meeting. After considering the site and

context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the plans and renderings, the Design Review Board members recommended approval of the subject design and the requested development standard departure from the requirements of the Land Use Code (listed below).

STANDARD	REQUIREMENT	REQUEST	JUSTIFICATION	ACTION
1. Setbacks 23.47.014B4 b	15' setback for portions of mixed use structure above thirteen (13) feet in height along the rear lot line which abuts a lot line of a residentially zoned lot.	Exceeds the height limit by 3 feet.	▪ Encloses a vehicular ramp adjacent to residential uses. ▪ Landscaping provided between ramp and residential properties.	APPROVED

The Board recommended the following 16 CONDITIONS for the project based on the planner's assessment. (Authority from adopted design guidelines referenced in the letter and number in parenthesis):

1. Darken the beige color of the stucco to eliminate its brightness. (C-4)
2. Use true brick rather than a brick veneer at the entrance. (C-4)
3. Design a roof covering or canopy for the ATM and ensure placement of a community bulletin board or kiosk near the ATM. (A-4, C-3)
4. Design and upgrade the paving at all commercial and residential entrances. The Design Review Planner shall review and approve the proposed design and materials. (A-3,4, E-2)
5. Design a water feature to express symbolically the historical importance of water at the southern portion of the site. It is optional whether the water feature has sustainable features. The design and location of the water feature must be approved by the Design Review Planner. (E-2,3)
6. Ensure that new street trees measure a minimum of 2.5" calipers to provide mature trees once construction is completed. (E-1)
7. Ensure the planting of mature vegetation at the site's southeast portion in order to buffer the impacts of the loading area on the neighbors. (E-1)
8. Ensure that the developer works with the neighbors to provide off-site planting on the Single Family zoned side of the alley and east property line. (E-1)
9. Design a sign fully integrated with the architecture and its context at the visual terminus of Bridge Way N. Look at the Wallingford and Wedgwood QFC signs for inspiration. The sign must not be back lit and must not be made of plastic. The design and location of the sign must be reviewed and approved by the Design Review Planner before issuance of the MUP. (A-1, C-2,4)
10. Develop a lighting plan for review and approval by DCLU. The text of the plan will describe how the lighting selection meets the three objectives outlined below. The plan must address a) prevention of spillover lighting into the neighborhood; b) prevention of glare from the parking garage; and c) provide lighting levels on the site's southern

portion to ensure a safe environment. The plan will have graphic images and catalogue cuts of the fixtures and the levels of light. (D-7)

11. Ensure that crosswalks are established at the major street intersections. (D-7)
12. Ensure that no ventilation noise emanates from the parking garage levels. (A-5, D-6)
13. Ensure that only residential and employee parking will occur at the upper level parking structure. QFC customer parking may occur only at specific holidays determined by DCLU staff in consultation with the developer. A police officer or traffic control personnel will be stationed in the garage or other appropriate location to direct traffic during holidays. (A-5, A-8, D-7)
14. Provide bus passes to QFC employees or participate in a Transportation Management Plan.
15. Provide an operational plan for the service area and parking garage at the south end of the site. DCLU shall place conditions on hours of delivery, truck waiting time, and ensure that there is a means of monitoring the trucks for adherence to the operational plan's objectives. The operational plan will address pedestrian and vehicular access. (D-6,7)
16. Install an audible or visual warning signal where the parking garage ramp from the second floor meets the load berth area. (D-7)

DIRECTOR'S ANALYSIS - DESIGN REVIEW

Design Review Board recommendation #12 states that "no ventilation noise emanates from the parking garage levels". The upper level garage would be naturally ventilated and thus no mechanized ventilation would be producing noise. The lower garage would not be below grade level from the east property line where neighbors might be impacted. The lower garage, however, would be ventilated. The Director requires that no discernable ventilation noise emanate from the parking garage levels. The residential neighbors should not be able to distinguish the mechanized ventilation noise from general background noise in the area. An acoustic report should how the design of the garage ventilation system meets this standard.

Design Review Board recommendation #13 ensures that QFC customer parking may occur "only at specific holidays determined by DCLU staff in consultation with the developer." In order to prevent the potential of spillover parking onto nearby residential streets, the Director allows the use of the employee portion of the upper garage for customer parking whenever the lower parking area is expected to reach capacity. Traffic control personnel must be used to assist in directing on-site traffic during these times.

Recommendation #14, which "provides bus passes from QFC to its employees" or ensures participation "in a Transportation Management Plan", seeks a non-site planning or non-physical design solution to reduce the potential of employee parking both in the building and on neighborhood streets. The recommendation imposes SEPA oriented solutions in place of those that are architectural or site planning. Design Review Guideline A-5 (referred to in Recommendation #14) addresses the location or relationship of the subject building with neighboring structures. Guideline A-8 refers to the siting or location of driveways and parking. The use of Guideline D-8, addressing pedestrian safety, only indirectly considers the issue of employee parking on and off the premises. The MUP Decision focuses on strategies to minimize traffic and parking in the adjacent neighborhood in the SEPA analysis section. Conditions address the potential of spillover parking into the neighborhood and customer use of the alley.

Board recommendation #16 provides the installation of an audible or visual warning signal for the parking garage. Use of an audible alarm will contribute to potential noise levels and may impact both adjacent neighbors to the east and those living in the proposed residential units above the garage. A visual warning signal is sufficient.

Otherwise the Director finds no conflicts with SEPA requirements or state or federal laws, and has reviewed the City-wide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. In addition, the Director is bound by any condition where there was consensus by the Board and agrees with the condition recommended by the five Board members and the recommendation to approve the design, as stated above.

DECISION - DESIGN REVIEW

The proposed design is **CONDITIONALLY GRANTED**.

ANALYSIS-SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant's agent (dated July 24, 2002 and revised October 24, 2002) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant, and the experience of the lead agency with review of similar projects, form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665D) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665D1-7) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction related vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The following is an analysis of construction-related noise impacts, air quality, earth, grading, traffic and parking as well as mitigation.

Noise

Noise associated with construction of the building could adversely affect surrounding uses in the area, which include residential and commercial uses. Surrounding uses are likely to be adversely impacted by noise throughout the duration of construction activities. Due to the proximity of the project site to these residential uses, the limitations of the Noise Ordinance are found to be inadequate to mitigate the potential noise impacts. Pursuant to the SEPA Overview Policy (SMC.25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675 B), mitigation is warranted.

Prior to issuance of demolition, grading and building permits, the applicant will submit a construction noise mitigation plan. This plan will include steps 1) to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties. The plan will be subject to review and approval by DPD. In addition to the Noise Ordinance requirements to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

1) non-holiday weekdays between 7:30 A.M and 6:00 P.M.
2) non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
3) Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
4) Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events, limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

Air Quality

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction activities, equipment and worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). To mitigate impacts of exhaust fumes on the directly adjacent residential uses, trucks hauling materials to and from the project site will not be allowed to queue on residential streets or adjacent to residential buildings.

An asbestos survey was requested due to the potential presence of asbestos containing materials (ACMs) based on the age of the building. A two phase study was conducted in 1993 by ATEC Associates, Inc. for David Evans and Associates. Of the eight samples of suspect asbestos-containing materials, one sample of vinyl flooring contained two to three percent chrysotile asbestos. The study recommended that the "ACMs that appear to be present at the site may be managed 'In-Place' by following Operations and Maintenance procedures using U.S. Environmental Protection Agency guidelines. A comprehensive asbestos survey should be performed prior to demolition or renovation of the site building." Asbestos must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A

which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Earth

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material.

The soils report, construction plans, and shoring of excavations as needed, will be reviewed by the DPD Geo-technical Engineer and Building Plans Examiner who will require any additional soils-related information, recommendations, declarations, covenants and bonds as necessary to assure safe grading and excavation. This project constitutes a "large project" under the terms of the SGDCC (SMC 22.802.015 D). As such, there are many additional requirements for erosion control including a provision for implementation of best management practices and a requirement for incorporation of an engineered erosion control plan which will be reviewed jointly by the DPD building plans examiner and geo-technical engineer prior to issuance of the permit. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.
An 854 square foot, mapped environmentally critical steep slope area lies directly behind the existing commercial structure. The Department of Planning and Development granted an ECA exemption (October 13, 2003) based on Terra Associates' Geotechnical Report (July 22, 2002) stating that the "proposed construction will not adversely impact the current slope condition."

Grading

An excavation to construct the lower level of the structure will be necessary. The maximum depth of the excavation is approximately 22.5 feet and will consist of approximately 22,183 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Traffic and Parking

During construction, parking demand will increase due to additional demand created by construction personnel and equipment. It is the City's policy to minimize temporary adverse impacts associated with construction activities and parking (SMC 25.05.675 B and M). To minimize parking impacts on the adjacent street system, construction workers shall be required to park on-site following the completion of the lower level of the parking garage, or as soon thereafter as possible.

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction a temporary increase in traffic volumes to the site will occur, due to travel to the site by construction workers and the transport

of construction materials. Approximately 22,183 cubic yards of soil are expected to be excavated from the project site. The soil removed for the garage structure will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 2,220 round trips with 10-yard hauling trucks or 1,110 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM. Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Stone Way N. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; potential loss of plant and animal habitat; increased noise, and increased light and glare, increased impacts on air quality and environmental health.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, traffic and parking impacts warrant further analysis.

Air Quality

Natural ventilation of the upper parking garage is proposed. On the Stone Way N. façade, the proposed design has 24 window-like apertures without glazing. The south façade has four openings. The east façade has seven louvered panels to the south of the garage door. The potential for impact of vehicular air pollution on adjacent uses is minimized by the extent of openings and the dispersion of emissions. At most times during the year, use of the garage will be confined to the residents and employees. Timing of employee use is moderated by multiple work shifts. There would not be a large concentration of employees at a given time. Given these factors and the increased use of low emission vehicles, the Department of Planning and Development does not recommend further mitigation of air quality.

Environmental Health

A two phase environmental site assessment and asbestos survey was conducted in 1993 by ATEC Associates, Inc. for David Evans and Associates. The first phase of the report indicated the possible migration of "off-site sources of petroleum hydrocarbons in soil or ground water beneath the subject site." In addition, an asbestos survey was requested due to the potential presence of asbestos containing materials (ACMs), based on the age of the building.

The second phase included drilling and testing of soil and water samples. The assessment concluded that "based on laboratory test results and ATEC's field observations, it does not appear that petroleum hydrocarbons are present in soil or ground water beneath the site at sampled locations tested." No further testing was recommended.

Review of the suspect asbestos-containing materials is discussed above in the air quality section of short-term impact section.

Height, Bulk and Scale

The Northeast Design Review Board held five meetings over the course of 15 months to hear public comment, review the subject project according to design guidelines and to make recommendations to the Director. At the meetings, height, bulk and scale issues were commented upon by the public and discussed by the Design Review Board. In response to the public comments and the Board, the project design evolved over the 15 months. With the exceptions discussed in the Director's Analysis of the Design Review section, the recommendations of the Design Review Board have been included into this Decision as design review conditions. The Board recommended granting one departure from the City's Land Use and Zoning Code. At the rear property line abutting a residential zone, the proposed garage ramp rises 16 feet above grade or, in other words, the ramp extends three feet above the 13 foot limit within the 15 foot setback.

Chapter VII, SEPA and Agency Decisions, of the Seattle Municipal Code (SMC 25.05.675G) states that "unanticipated adverse impacts may occur when a project is located on a site with unusual topographic features or on a site which is substantially larger than the prevalent platting pattern in an area. Similarly, the mapping of the City's zoning designations cannot always provide a reasonable transition in height, bulk and scale between development in adjacent zones." The salient topographic feature is the cut made into the slope for an earlier development of the site, creating a sizeable retaining wall along the east property at the alley. A slope also descends along a north/south axis from N. 40th Street to N. 39th Street. When considering height measurements for site redevelopment, the Department treats the current surface parking area as existing grade and interpolates the grades where the existing structure sits.

Viewed from the east property line, the lower garage and the grocery store are below grade. The upper level parking and the two residential floors rise above the alley. The garage wall at the east property line is broken up by the garage opening and series of louvers for air circulation. The garage and ramp extend for most of the two east property lines. Above the garage, the residential component is divided into several clusters with open space between them. By clustering the residential units, the design reduces the bulk and scale of the building. The sloped roofs, which recall the single family houses across the alley, also serve to reduce the development's overall bulk. On N. 39th St., the structure is set back approximately 75 feet from the right-of-way, providing significant relief from height and bulk issues. The building mass asserts itself on Stone Ave. N., an arterial and significant commercial corridor. Although

significantly larger than the existing structure, the proposed edifice is wider but not taller than other new developments along this corridor. The site extends the full block, 408 feet along Stone Way N. The design strategy, a tripartite scheme, reduces the building's horizontal bulk by organizing the retail and upper parking level into three masses: a north end, a middle/entry area, and a south end. The north end houses a small retail store at the corner of N. 40th St. and Stone Way and series of trellises and art works. The middle component, which is lower in height than the two ends, serves as the primary pedestrian entrance to the grocery store. The extensive use of glazing visually separates it from the north and south ends. This area also visually terminates the Bridge Way N. corridor. The south end has storefront glazing and a permanent outdoor seating area, distinguishing it from the other portions of the structure. Vertically, the proposed structure divides into two major elements: the storefront grocery/upper level parking garage and the residential units. The designers consciously created contrasting forms. The lower two floors evoke a "Main Street" storefront and the upper area echoes Wallingford housing styles. Colors, detailing and materials tie into one another to create an ensemble.

The N. 40th St. façade follows the slope up to the alley with the highest level of the complex at Stone Way N. The placement of low structures (the stairs and elevator enclosures) related to the residential units near the alley reduces the structure's bulk closest to the neighboring properties.

The prevalent platting pattern along Stone Way N. is conducive to the type of structure proposed for the site. The proposed project is somewhat wider than existing structures; however, there is nothing to prevent other developers from assembling similar sized parcels. The current development pattern along the Stone Way N. corridor clearly shows a trend toward larger structures. The parcel's depth is no deeper than any others in the area, and, unlike the platting across Stone Way N., an alley provides relief from potential bulk issues.

Scale refers to the "spatial relationship among structures along a street or block front." (SMC 23.84.036) Along Stone Way N., the variety of materials, colors and the use of traditional store front detailing serve to minimize the building's size. In addition, a series of activity areas along the street including an art wall, seating, an ATM machine and seasonal displays produce the same effect. The planter boxes at the second floor windows provide a human scale to the streetscape. The relationship of structures on N. 39th St. is reduced by both the generous setback and the proposed landscaping at the property's two corners. On N. 40th St., the small retail use at the corner and the conscious attempt to create housing units that resemble modest single family structures reinforce a neighborhood pattern. Details such as canopies and shingles for the residential units further enhance the scale that joins residential with neighborhood commercial.

Light and Glare

The applicant provided a lighting and glare analysis which proposed mitigation of potential spillover from light on the parking lot. Proposed lighting will consist of full cutoff luminaires on 30 foot poles within the lot. These fixtures "provide extensive shielding of the lamp and reflector. No direct light escapes above the horizontal plane of the luminaire. The reflector is designed to direct most of the light to the surface being lighted and not behind the luminaire."

The applicant proposes ceiling mounted luminaires in the parking garages. The study states that "Low brightness luminaires will be used to reduce the amount of direct glare in the community. Direct glare will also be reduced with the use of a concrete header along the rear lot line to help

shield the luminaires from off site visibility. With low ceiling heights typical for this use full cutoff luminaires cannot be used to provide minimum safe illumination levels." Most of the upper level garage is behind an opaque wall. The garage opening and louvers for air circulation comprise the only significant opportunities for light spillover. The louvers should shield any glare produced by the interior lighting. Since a garage door is not proposed, a lighting analysis should show how direct and reflected light is observed from the east. The amended lighting analysis should recommend whether a garage door is needed and, if so, what times and circumstances are appropriate for it to be left open. On the Stone Way N. façade the upper level garage is above the roadway. The mitigation measure suggested by the applicant should reduce the amount of glare emanating onto the street.

Landscape and streetscape lighting will use a combination of wall mounted sconces and bollards. Design specifications for these have been provided by the applicant.

The drawings and study supplied to the Department lack a diagrammatic lighting plan showing potential light levels site plans and garage floor plans. The amended lighting analysis should provide consideration of whether the alley should be illuminated. The analysis should also consider the spillover impacts of an open garage door in the evening on neighbors' property.

Noise

An environmental noise assessment was submitted to the City by SSA Acoustics, LLP, a consultant to the applicant. Based on on-site traffic noise analysis and noise generated by trucks at the Wallingford QFC, the consultant concluded that the events associated with docking, unloading and transferring of materials from trucks to the store can be completed within the limits provided by City Code. The consultant recommended fitting the trash compactor with a barrier to mitigate noise.

The applicant proposes seven air circulation panels with louvers for the upper level parking and a garage opening on the east side of the property. No analysis has been made of the noise produced by vehicle movement in the garage and the opening and closing of the gate that separates the residential parking from the rest of the upper level parking. Sound will inevitably escape out of the openings. The applicant must provide an acoustic report analyzing potential noise associated with the garage and recommend potential strategies for noise mitigation.

The proximity of the loading area to residential zones may result in noise impacts to nearby residents. To reduce these impacts, use of the loading docks for deliveries will be limited to 7:00 AM – 9:00 PM Monday through Friday and 9:00 AM – 9:00 PM on weekends and holidays. The enclosed loading dock's door is also a potential source of on-site and off-site noise. The applicant shall install a garage door that meets an acoustic consultant's approval for noise mitigation.

Traffic and Transportation

Traffic operational impacts of the proposed project were documented in a traffic analysis by Transportation Engineering NorthWest, dated January 8, 2003. The analysis estimates the volumes of traffic likely to be generated by the project, distributes them to the roadway system, and analyzes the likely impacts of the additional volumes.

The mixed-use development is estimated to generate a total of 1,296 net new vehicle trips per weekday, of which 59 trips are estimated to occur during the AM peak hour, and 191 during the PM peak hour. As substantially more trips would be generated during the PM peak hour, this time period was selected for analysis of project impacts.

The following table indicates the forecasted level of service (LOS) and average delay (expressed in seconds) during the PM peak hour at key intersections near the project site with and without the project:

Intersection	LOS Without Project	LOS With Project
Stone Way N/N 40th Street	D (39.8 secs)	D (45.8 secs)
Stone Way N/N Bridge Way	B (12.8 secs)	B (13.4 secs)
Fremont Ave N/N 39th Street	D (52.7 secs)	D (53.7 secs)
Stone Way N/N 39th Street	C (15.2 secs)	E (48.3 secs)
N Bridge Way/N 39th Street	F (50.8 secs)	F (97.0 secs)

Impacts at the signalized intersections of Stone/40th, Stone/Bridge, and Fremont/39th show slight increases in average seconds of delay, but all intersections would continue to function acceptably following construction of the project. The unsignalized intersections of Stone/39th and Bridge/39th would be more impacted by the project, with westbound movements at each intersection experiencing substantial increases in delay. Mitigation required to reduce impacts at these intersections is discussed below.

The traffic study also analyzed potential project impacts at the traffic circle at the intersection of Interlake Avenue N/N 39th Street. Only eight additional trips through this intersection are expected to occur during the PM peak hour, and the intersection is expected to function well with or without the project.

Access to the QFC Stone Way site is proposed from three driveways. The access points would be located on N 40th Street via an existing alley, Stone Way N, and N 39th Street. The primary access for the grocery store will be signed and accessed through the driveways on Stone Way N and N 39th Street. The access on N 40th Street via the existing alley could be used by grocery store customers but is intended to be used primarily by the residents, specialty retail customers and employees, and employees of the grocery store. To discourage use of the alley by grocery customers, signs will be required to be posted at the intersection of the alley and N 40th Street indicating that customer parking cannot be accessed through the alley. To prevent confusion by motorists attempt to access N 39th Street from N 40th Street, a sign will be posted at the entrance to the alley stating "Dead end – no through access," or similar wording acceptable to SDOT. As left-turns by traffic leaving the alley may be difficult due to both constrained sight distances and long westbound queues extending from the Stone/40th intersection, north-to-west left turns from the alley onto 40th shall be prohibited through appropriate signage. Level of service analyses of the site driveways at Stone and 39th and the alley at 40th indicate all these locations will operate with a level of service B or better with the project during the PM peak hour.

Mitigation:

To reduce project impacts at Stone Way N/N 39th Street, the applicant proposes to pay for installation of a traffic signal at this intersection. With this signal, the intersection is expected to operate at level of service A, with 9.3 average seconds of delay. As implementation of this signal could serve to attract additional traffic to N 39th Street east of the site, the applicant also proposes to provide funds to develop traffic calming measures that the community and Seattle Department of Transportation may institute in the vicinity of N 39th Street and Interlake Avenue N.

Locating a new signal at the intersection of Stone Way N/N 39th Street requires it to be operated in conjunction with nearby signals at Stone/Bridge and Stone/40th. The project proponent is required to contribute to the cost of this interconnection. To relieve congestion at N 39th Street/N Bridge Way N. due to increased westbound volumes, the project also is required to participate in funding signal upgrades at Stone/Bridge to allow northbound-to-westbound left turn movements.

Parking / Site traffic operations

The QFC mixed-use project proposes a total of 156 parking stalls located in two parking areas. One area would be accessed from N 39th Street and Stone Way N and includes 86 below-grade parking stalls and 3 surface stalls. Grocery customers are the intended primary users of this parking. A second parking area would be accessed from the alley off of N 40th Street, and includes 33 residential-only parking stalls and 34 grocery/specialty retail parking stalls. Residential parking stalls will be secured and thus accessible to residents only; the remaining stalls would be accessible at certain times to anyone traveling to the site, but would be intended primarily for residential visitors, specialty retail customers and employees, and grocery store employees.

A weekday and Saturday parking demand assessment was conducted to determine if the proposed parking supply would meet the anticipated parking demand. (The analysis does not assume any use of residential-only parking by non-residents.) Based on this analysis, the peak weekday parking demand is projected to be 128 stalls, and the peak Saturday demand is projected to be 147 stalls. The assessment indicates that adequate capacity exists to accommodate likely peak parking demand on-site.

To accommodate truck movements to and from the site, three parking spaces on the north side of N 39th Street immediately east of Stone Way N would be removed by the project. Existing parking utilization of short-term parking spaces in the vicinity of the project site indicates that adequate on-street parking opportunities will still exist following the removal of these three spaces.

Loading: A truck loading dock designed to simultaneously accommodate both semi-trucks and panel trucks, similar in size to UPS delivery trucks, is located on the south side of the proposed structure. Delivery trucks will enter the site via the driveway on Stone Way N and exit the site through the driveway on N 39th Street. During a typical week, approximately 200 delivery trucks are expected to enter and exit the site. Monday, Wednesdays, and Thursdays will be the most common days for deliveries.

QFC provided vendor delivery schedules indicating that virtually all deliveries could be accommodated in either the loading berths or in the surface parking spaces adjacent to N 39th

Street. Delivery trucks would be matched to berth size to ensure that loading doors could be closed when loading/unloading activities occur in the berths. To ensure that delivery schedules are maintained that allow for truck loading to take place in the identified berths or the surface parking spaces in the southwest corner of the site, QFC will be required to maintain a current vendor delivery schedule, and make such schedule available upon request.

Multiple traffic movements will occur at the south end of the project site, including access to and from Stone Avenue N and N 39th Street; access to and from the underground parking garage; truck loading access; and traffic traveling from the upper to the lower parking level by means of a ramp, internal to the site, along the east edge of the structure. To provide clarity to these movements, and to reduce potential impacts to the surrounding street system due to on-site congestion, the project is conditioned to provide the following:

- install a stop bar and stop sign at the top of the ramp from the underground garage, as well as a flashing light with a "Stop Ahead" sign at the bottom of the ramp;
- install a stop bar and stop sign at the bottom of the down-ramp from the upper level of parking, as well as a flashing light with a "Stop Ahead" sign prior to the end of the down-ramp;
- install raised pavement markers between the driveway on Stone Way N and the entrance to the parking garage;
- provide striping or install raised pavement markers between the driveway on N 39th Street and the entrance to the parking garage;
- the receiving clerk in the loading dock shall be present in the loading area when necessary to assist truck maneuvering.
- a police officer or traffic control personnel shall be present to direct traffic during time periods (such as pre-holidays) when grocery customers are anticipated to use this level for parking.

Summary

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

[ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS-DESIGN REVIEW

Prior to Issuance of a Master Use Permit

Revise plans according to the following conditions.

1. Darken the beige color of the stucco to eliminate its brightness.
2. Use true brick rather than a brick veneer at the entrance.
3. Design a roof covering or canopy for the ATM and ensure placement of a community bulletin board or kiosk near the ATM.
4. Design and upgrade the paving at all commercial and residential entrances. The Design Review Planner shall review and approve the proposed design and materials.
5. Design a water feature to express symbolically the historical importance of water at the southern portion of the site. It is optional whether the water feature has sustainable features. The design and location of the water feature must be approved by the Design Review Planner.
6. Ensure that new street trees measure a minimum of 2.5" calipers to provide mature trees once construction is completed.
7. Ensure the planting of mature vegetation at the site's southeast portion in order to buffer the impacts of the loading area on the neighbors.
8. Ensure that the developer works with the neighbors to provide off-site planting on the Single Family zoned side of the alley and east property line.
9. Design a sign fully integrated with the architecture and its context at the visual terminus of Bridge Way N. Look at the Wallingford and Wedgwood QFC signs for inspiration. The sign must not be back lit and must not be made of plastic. The design and location of the sign must be reviewed and approved by the Design Review Planner before issuance of the MUP.
10. Develop a lighting plan for review and approval by DCLU. The text of the plan will describe how the lighting selection meets the three objectives outlined below. The plan must address a) prevention of spillover lighting into the neighborhood; b) prevention of glare from the parking garage; and c) provide lighting levels on the site's southern portion to ensure a safe environment. The plan will have graphic images and catalogue cuts of the fixtures and the levels of light.
11. Ensure on the plans that crosswalks are established at the major street intersections.
12. Ensure that no discernable mechanized ventilation noise emanates from the parking garage levels. Integrate design elements recommended by acoustic consultant (per Condition #19) to limit vehicle noise and gate operating noise from being discernable to properties east of the garage.
13. Install a visual warning signal where the parking garage ramp from the second floor meets the load berth area.

Prior to Issuance of a Certificate of Occupancy

14. Provide an operational plan for the service area and parking garage at the south end of the site. DPD shall place conditions on hours of delivery, truck waiting time, and ensure that there is a means of monitoring the trucks for adherence to the operational plan's objectives. The operational plan will address pedestrian and vehicular access. (See Conditions 33, 34, and 35)

Non-Appealable Conditions

15. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Bruce P. Rips, 615-1392). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
16. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bruce P. Rips, 615-1392), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
17. Embed all MUP conditions in the cover sheet for the MUP permit and subsequent construction permits including updated MUP plans, and all building permit drawings.

CONDITIONS-SEPA

Prior to Issuance of a Master Use Permit

18. Provide a lighting plan and an analysis with potential recommendations for illumination of the alley before MUP issuance. The analysis should consider the spillover impacts of light and glare from the garage opening in the evening on neighbors' property. Potential recommendations for mitigation shall be considered if warranted. (See Condition #10)
19. Amend the acoustic report to analyze potential noise associated with the garage and recommend potential strategies for noise mitigation.

Prior to Issuance of a Demolition, Grading, or Building Permit

The owner(s) and/or responsible party (-ies) shall:

20. Provide a general construction schedule to the DPD Land Use Planner for review and approval. The schedule must include the proposed truck staging, identification of haul routes and times at which all demolition and/or grading materials will be removed from the site, deliveries and service of equipment will be conducted, and all other construction activities which may have an adverse impact on the adjacent and nearby uses. Truck access to and from the site shall be documented in a construction traffic management plan, to be submitted to DPD and SDOT prior to the beginning of construction. This plan also shall indicate how pedestrian connections around the site will be maintained during the construction period, with particular consideration given to maintaining pedestrian access along Stone Way N.
21. Provide a copy of the PSCAA permit for asbestos remediation to be attached to the demolition permit.
22 Submit a construction noise mitigation plan. This plan will include 1) steps to limit noise decibel levels and duration and 2) procedures for advanced notice to surrounding properties of work activities on Saturday and after 6 PM on weekdays. The Plan will be subject to review and approval by DPD.

During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

23. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby properties, all construction activities shall be limited to the following:

    A. Non-holiday weekdays between 7:30 A.M and 6:00 P.M.
    B. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M limited to quieter activities and based on a DPD approved construction noise mitigation plan and public notice program outlined in the plan.
    C. Saturdays between 9:00 A.M. and 6:00 P.M. limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.
    D. Emergencies or work which must be done to coincide with street closures, utility interruptions or other similar necessary events limited to quieter activities based on a DPD approved mitigation plan and public notice program outlined in the plan.

24. Large (greater than two-axle) trucks will be prohibited from entering or exiting the site after 3:30 PM.
25. To minimize parking impacts on the adjacent street system, construction workers shall be required to park on-site following the completion of the bottom level of the parking garage, or as soon thereafter as physically possible.

Prior to Occupancy

26. To prevent confusion by motorists attempt to access N 39th Street from N 40th Street, a sign will be posted at the entrance to the alley stating "Dead end – no through access," or similar wording acceptable to SDOT.
27. North-to-west left turns from the alley onto N 40th Street shall be prohibited through appropriate signage.
28. The project will pay for installation of a traffic signal at the intersection of Stone Way N and N 39th Street, and will contribute to the cost of interconnecting this signal with those at Stone Way N/Bridge Way N and Stone Way N/N 40th Street.
29. The project will participate in funding traffic signal upgrades at the Stone Way N/Bridge Way N intersection to allow northbound-to-westbound left turn movements.
30. The project will provide $20,000 to Seattle Department of Transportation for use in traffic calming measures in the vicinity of N 39th Street and Interlake Avenue N.
31. To reduce conflicting movements at the south end of the project site and to reduce potential impacts to the surrounding street system due to on-site congestion, the project is required to develop an operational plan. This plan shall include the following elements:

- install a stop bar and stop sign at the top of the ramp from the underground garage, as well as a flashing light with a "Stop Ahead" sign at the bottom of the ramp;
- install a stop bar and stop sign at the bottom of the down-ramp from the upper level of parking, as well as a flashing light with a "Stop Ahead" sign prior to the end of the down-ramp;
- install raised pavement markers between the driveway on Stone Way N. and the entrance to the parking garage;
- provide striping or install raised pavement markers between the driveway on N 39th Street and the entrance to the parking garage;
- a receiving clerk in the loading dock shall be present in the loading area when necessary to assist truck maneuvering.
- a police officer or traffic control personnel shall be present to direct traffic during time periods (such as pre-holidays) when grocery customers are anticipated to use this level for parking.
- To control use of the alley by grocery customers, signs shall be posted at the intersection of the alley and N 40th Street indicating when grocery customer parking in the upper level garage is permitted.
- Identify incentives to minimize impact of employees parking on the surrounding neighborhood streets when employees are not allowed to park in the upper level garage.

For the Life of the Project

32. To ensure that delivery schedules are maintained that allow for truck loading to take place in the identified berths or the surface parking spaces in the southwest corner of the site, QFC will be required to maintain a current vendor delivery schedule, and make such schedule available upon request.
33. Use of the loading docks for deliveries will be limited to 7:00 AM – 9:00 PM Monday through Friday and 9:00 AM – 9:00 PM on weekends.
34. A receiving clerk in the loading dock shall be present in the loading area when necessary to assist truck maneuvering.
35. a police officer or traffic control personnel shall be present to direct traffic on the upper level during time periods (such as pre-holidays) when grocery customers are anticipated to use this level for parking.

CONDITIONS-DESIGN REVIEW AND SEPA

Prior to Issuance of a Certificate of Occupancy

36. To control use of the alley by grocery customers, signs shall be posted at the intersection of the alley and N 40th Street indicating when grocery customer parking in the upper level garage is permitted and when it is prohibited.

For the Life of the Project

37. Use signage to restrict use of upper level parking to primarily residential and employee parking. Grocery customers may use the upper level garage at times when the capacity

of the lower level garage is expected to be exceeded in order to prevent spillover parking in the neighborhood. At those times, a police officer or traffic control personnel will be available to direct traffic.

38. Implement incentives recommended in the operations plan to minimize impact of employees parking on the surrounding neighborhood streets when employees are not allowed to park in the upper level garage.

Signature: (signature on file) Date: December 8, 2003

Bruce Philip Rips, AICP, Project Planner
Department of Planning and Development
Land Use Services

BPR:rgc
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